



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/635,864 | 08/10/2000 | Jeffrey M. Friedman | 600-1-G17CIP1 | 6312 |

7590

07/01/2003

David A Jackson Esq
Klaiber & Jackson
411 Hackensack Ave
Hackensack, NJ 07601

EXAMINER

SAOUD, CHRISTINE J

ART UNIT

PAPER NUMBER

1647

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Requirement under 37 CFR 1.105

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the Examiner has determined is reasonably necessary for the examination of this application.

Applicant has more than 14 applications (co-pending, issued or abandoned) which are drawn to related subject matter based on their status as continuations, divisionals, or continuations in part. The Examiner has attempted to locate these applications, but some of them are not available. In order to advance prosecution, Applicant is required to supply a tabulated summary of the related applications filed, pending claims in each of the co-pending applications with a brief summary of the clear line of demarcation which will be maintained between the claims in the co-pending applications as required by MPEP § 822 and 37 CFR 1.78(b) which provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application. An indication that the claims are directed to distinct subject matter (i.e. restricted, such as DNA from protein) is sufficient to denote a clear line of demarcation. However, explanation is necessary for those copending applications which are directed to nucleic acids of Ob/leptin, which is the elected invention in the instant application.

This submission is required as a completion of the duty to disclose under 37 CFR 1.56 as the Examiner is unable without substantial burden to assemble and review the related materials and to determine Applicant's intention as to the clear demarcation of subject matter which will be

maintained in the applications. The information is further required to enable proper examination of the case and to aid in the determination of potential prior art and/or double patenting issues.

Applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the Applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

This requirement is subject to the provisions of 37 CFR §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136 (a).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christine J. Saoud, Ph.D., whose telephone number is (703) 305-7519. The Examiner can normally be reached on Monday to Thursday from 8AM to 2PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Gary Kunz, can be reached on (703) 308-4623.

Certain papers related to this application may be submitted to Technology Center 1600 by facsimile transmission. Papers should be faxed to Technology Center 1600 via the PTO Fax Center located in Crystal Mall 1 (CM1). The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. §§ 1.6(d) and 1.8). NOTE: If Applicant *does* submit a paper by fax, the original signed copy should be retained by Applicant or Applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers.

Official papers filed by fax should be directed to (703) 872-9306. If this number is out of service, please call the Group receptionist for an alternate number. Official papers filed After Final rejection filed by fax should be directed to (703) 872-9307.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.


GARY KUNZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

CHRISTINE J. SAOUD
PRIMARY EXAMINER

